

## REMARKS

Claims 1 and 3-23 are pending after the cancellation of Claim 2 and the addition of Claims 21-23.

Essentially, Claim 2 has been merged into Claim 1, and detail is added describing the programmable controller. The amendments to Claim 1 are further supported by Figs. 7 and 8; and page 5, line 15, to page 6, line 18.

Claim 17 is amended to describe the programming of the controller, and the amendments are supported by the same disclosure that supports the amendments to Claim 1.

The amendments to Claims 11-13 are supported by Figs. 3 and 8 and page 6, lines 3-7.

New Claims 21-23 are supported by Fig. 8 and page 6, lines 5-9 and 16-18.

### Overview of Claims and Rejection of Claims

Essentially, the examiner considered the “controllable” aspect of the claimed top light segment colors in the previous claims to be only intended usage, and therefore such intended usage was not considered a distinguishable feature. Therefore, the “invention” has not yet been fully evaluated against the prior art.

The present amendments to Claim 1 make the “programmable” and “controllable” aspect of the programmable top light a structural limitation. The method of Claim 17 adds detail regarding the programming of the controller. The invention allows the same top light, but with different programming, to be used in any jurisdiction even though the various jurisdictions may have different specifications for the colors emitted by each segment of the top light. A casino or a state or a country may be a jurisdiction. Standards in each jurisdiction specify the single color emitted by each segment of a top light and the combination of colors for representing certain information about the gaming machine. Prior art top lights required a mechanical change in each segment’s colored plastic covering to define the color emitted by each segment, since the light source in each segment was typically

a white light source. Applicant's invention enables the top light to be programmed to output any color from each segment after the top light has been installed on a slot machine, without any mechanical change to the top light. Thus, the top light may be programmed by the casino or at the site of any jurisdiction without any additional parts.

Applicant will concede for purposes of this patent application that it is obvious to replace incandescent bulbs with LEDs of the same color for the purpose of obtaining the same functionality as the incandescent bulbs but with the benefit of increased reliability, lower heat output, and smaller size.

**The examiner rejected Claims 1-8, 11-14, and 16-20 as being obvious over Forbes (US 6,043,615) in view of Lys (US 6,777,891).**

Forbes discloses a conventional top light for a slot machine. Lys was cited for its generic teaching of using computer controlled light strings formed of individually addressable LEDs to obtain attractive color lighting effects. Some general applications mentioned for the LED strings are slot machines, Christmas trees, and Ferris wheels (col. 23, lines 20-27). There was no specific use mentioned for slot machines, but the use clearly intended to be conveyed by Lys for a slot machine was to add a colorful effect to the slot machine housing that would attract players by its dynamic display of changing colors.

(It is to be noted that, in a top light, the color of each segment does not change once the slot machine is designated for a particular jurisdiction that dictates the color of each segment. Lys' invention is directed to a dynamically changing LED string for aesthetics that could not be used in a top light.)

It is believed that the relevance of Lys to Applicant's claims is not as relevant as Applicant's present admission that it is obvious to replace a colored incandescent bulb with the same color LED to perform the exact same function (e.g., for traffic lights, etc.). A single LED only emits a single color (blue, green, red, etc.) dictated by the chemical composition of the semiconductor layers making up the LED die. Individual LEDs cannot change their color. For example, an incandescent bulb with a blue pigment on the glass bulb will emit blue light, and it may be obvious to replace the blue bulb with a blue LED formed of GaN

semiconductor material to perform the exact same function as the blue light bulb. Applicant's top light is not performing the same function as the prior art top lights.

Forbes was cited for its teaching a slot machine with a conventional top light 22 (Fig. 1), which is also admitted prior art in Applicant's specification.

The combination of Forbes' conventional top light with LED technology can, at most, be the replacement of the color rings 24, 26, 28, 30 in Forbes' top light with LEDs **of the exact same color.**

Applicant's Claim 1 includes the following elements:

a programmable controller electrically connected to each of the red, green, and blue LEDs in each segment, the controller comprising variable current sources connected to supply a controllable current to each of the red, green, and blue LEDs in each segment to control intensities of light emitted by each of the red, green, and blue LEDs in each segment,

the controller also comprising a programmable control portion that is programmable for controlling the variable current sources to supply selected currents to the red, green, and blue LEDs in each segment to cause any of a variety of colors to be emitted from each segment for conveying information about the gaming device, such that the programmable top light may be used in any of a variety of jurisdictions that have different specifications for the color of light emitted by each segment of a top light,

the controller being programmed to cause each of the segments to emit one or more selected colors from the variety of colors that can be emitted from each segment.

Simply using LEDs in the Forbes top light to replace Forbes light bulbs would not suggest the "programmable controller" of Claim 1. In order for Forbes to change the colors emitted by the segments, Forbes would have to change either the LEDs or the colored plastic surrounding each segment of the top light. Further, any current sources used to power LEDs in the modified Forbes-type top light would be hard-wired on a circuit board at the factory to either turn the LED on or off. There is no suggestion of a "programmable control portion that is programmable for controlling the variable current sources to supply selected currents to the

red, green, and blue LEDs in each segment,...the controller being programmed to cause each of the segments to emit one or more selected colors from the variety of colors that can be emitted from each segment,” as recited in Claim 1.

Further, Forbes’ simply turning the top lights on or off could not anticipate the “variable current sources” claimed in Claim 1 because a control source that is simply turned on and off is not a “variable current source.” Additionally, Claim 1 also recites that the “programmable control portion ... is programmable for controlling the variable current sources to supply selected currents to the red, green, and blue LEDs in each segment to cause any of a variety of colors to be emitted from each segment,” and “the controller being programmed to cause each of the segments to emit one or more selected colors from the variety of colors that can be emitted from each segment.” Forbes’ simply turning the top lights on and off (even if they were LEDs) does not use any such programmable control portion that controls each segment to emit any of a variety of colors that can be emitted by each segment. The colors in the Forbes top light are fixed at the factory by the use of certain color bulbs (or LEDs) or the colored plastic covering for each segment.

Dependent Claims 11-13 are additionally non-obvious since they recite at least one terminal of the controller that receives control codes for setting the currents to the red, green, and blue LEDs for setting the color of each segment.

Claim 17 is similarly distinguished from Forbes and Lys since Claim 17 recites the steps of,

programming a controller electrically connected to each of the red, green, and blue LEDs in each segment, programming the controller comprising controlling variable current sources to supply a controllable current to each of the red, green, and blue LEDs in each segment to control intensities of light emitted by each of the red, green, and blue LEDs in each segment to cause any of a variety of colors to be emitted from each segment for conveying information about the gaming device, such that the programmable top light may be used in any of a variety of jurisdictions that have different specifications for the color of light emitted by each segment of a top light; and

applying currents, by the controller, to one or more of the red, green, and blue LEDs, corresponding to the programming of the controller, to control brightness levels of the red, green, and blue LEDs to convey information about the gaming device.

There is no programming of any controller in Forbes or Lys.

Accordingly, it is respectfully submitted that all pending claims are patentable.

Should the Examiner have any questions, please call the undersigned at (408) 382-0480 x202.

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